

JULY 26, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Vilnis Gaines
City Commissioners: Jon Howard, Jalen Johnson, Chad Warbington
Virtual Attendee: Bob Langstaff, Jr. and Demetrius Young
City Manager: Steven Carter
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 6:06 p.m., and, the invocation given Apostle Felix Revills, First Albany Deliverance Cathedral was followed by the pledge of allegiance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Commissioner Howard moved to approve the minutes, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried.

PRESENTATION

Mr. Carter advised that this is the second cohorts of the Government 101 and gave a brief update of the nature of the course. He then proceeded to give certificates to the following: Kimberly Brooks, Will Davis, Gail Davenport, Thaly Encalade, Steven Gilmer, Deidre Groves, Shaune Harris, Joanna Jackson, Demetrice Jones, Shauna Motley, A. J. Parker, C. Tee Taylor, Barbara Tuck, and Karen Vample.

After presentations, the Mayor and Commissioners congratulated those who completed the course.

OBJECTION TO CONSENT AGENDA

There were no objections to the consent agenda

AGENDA ADOPTION

Commissioner Howard moved to approve the agenda, seconded by Commissioner Langstaff and following a roll call vote, the motion unanimously carried

APPOINTMENTS

1. Aviation Commission: Three appointments; two for three-year term and Mayor's appointment to fill unexpired term

Commissioner Warbington nominated Dr. Middleton and Commissioner Langstaff nominated Sanford Hillsman. Commissioner Howard moved to close nominations, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried.

Following a roll call vote, the motion to reappoint Dr. Middleton and Mr. Hillsman unanimously carried.

Mayor Dorough advised that his appointee is Dontravious Simmons to fill the unexpired term.

2. Albany/Dougherty County Land Bank: Two appointments to fill unexpired terms

Commissioner Warbington nominated Dontravious Simmons and Jim Pace, seconded by Commissioner Johnson. Commissioner Howard moved to close nominations on said names, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried. A brief discussion followed regarding the nomination of Mr. Pace with the Clerk advising that he was a Dougherty County appointee but that he asked to be considered for the city appointment. Following a roll vote, Mayor Dorough stated that Mr. Simmons and Mr. Pace was unanimously appointed with Mr. Simmons filling the term ending 2023 and Mr. Pace filling the term ending July 2025.

JULY 26, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

CONSENT AGENDA

In reply to Commissioner Young, Mayor Dorough reviewed the purchases under the consent agenda. Commissioner Howard recommended that the contract for (#5 Biosolids removal/disposal) should be considered annually rather than it being a 20-year contract as it will affect future Commissions. In reply to Mayor Dorough, Yvette Fields, Asst. City Manager stated that the contract will have a clause that says the contract can be voided after 90-day notice is given. Bruce Maples, Asst. City Manager advised that there is an annual approval is provided in the contract and that staff can bring the contract back for Commission approval annually. Discussion continued with Mr. Carter noting the evaluation process built into the contract yearly for performance purposes.

Commissioner Warbington moved to approve the consent agenda, seconded by Commissioner Howard and, following a roll call vote, the motion unanimously carried.

A. Resolutions:

A RESOLUTION NO. 22-R151

Approving Temporary Construction and Permanent Easements in favor of Norfolk Southern Railroad at five railroad crossings for an additional year

A RESOLUTION NO. 22-R152

Authorizing the purchase of Dell Laptops for use by the Albany Police Department; Authorizing use of SPLOST VI Funds

A RESOLUTION NO. 22-R153

Approving Brownfield RFL Sub-Grant Agreement re: Albany Museum of Art Environmental Remediation

A RESOLUTION NO. 22-R154

Establishing A One-Year Broker Services Extension with Shawhankins/NFP

B. Purchases:

- | | |
|--|--------------|
| 1. Software Maintenance Contract Renewal; Oracle USA, Inc. | \$96,335.57 |
| 2. City Charter/Code of Ordinances Re-Codification; Municipal Code, Tallahassee, FL – Est. Expense | \$38,750.00 |
| 3. APD Swat Van; Wade Ford, Smyrna, GA | \$60,610.00 |
| 4. AMI Contract Change Order; Core & Main | \$886,371.50 |
| 5. Biosolids Removal & Disposal; Synagro | \$771,980.70 |

GENERAL BUSINESS

A. Alcohol License Applications:

Anthony Donaldson, Deputy Marshall reviewed the following (copy on file):

1. Request to relocate license from 2401 Dawson Rd., Suite h to 2820 Meredyth Dr., Suites 2 & 3

Commissioner Johnson moved to approve the application, seconded by Mayor Pro Tem Gaines, and following a roll call vote, the motion carried 5-1 with Commissioner Howard voting no.

Mr. Donaldson reviewed the following (copy on file):

2. New License – Bianca’s Restaurant Group LLC, d/b/a Bianca’s; 2401 Dawson Rd Suite T-1; G. Contreras/Agent; Liquor/beer/wine consumption

JULY 26, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

In reply to Commissioner Young, Mr. Donaldson advised that this is a consumption license for a restaurant. Commissioner Young and reminded the Commission to look at the alcohol licenses to address selling beer/wine.

Commissioner Warbington moved to approve the application seconded by Commissioner Langstaff and following a roll call vote, the motion carried 6-1 with Commissioner Howard voting no.

ORDINANCES

Mr. Forgey reviewed the following zoning application.

Commission Howard introduced

AN ORDINANCE NO. 20-104

Amending the Zoning Ordinance and map of the City of Albany so as to change the status of property located at 1002 and 1004 10th Ave., from C-R to C-5

Commissioner Howard then offered the motion and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Warbington and, following roll call vote, the motion was unanimously approved.

Commissioner Howard introduced for the first reading

AN ORDINANCE

Amending Section (3)i of the Charter of the City of Albany mandating appointments; Adding the position Director Municipal Court Administration, to provide for appointment of such position

Commissioner Howard then offered the ordinance, seconded by Commissioner Johnson.

In reply to Commissioner Howard, Mr. Davis discussed the adoption of the ordinance including the first and seconding readings of the ordinance.

Commissioner Warbington stated that this is a new position; commenting on the job description and process, he asked if this will be on the next agenda. Commissioner Johnson stated that he thinks that there is a draft job description; the City Manager's office can be enlisted to complete the description and move it forward for discussion at the next work session.

Commissioner Langstaff waived the second reading and said he thinks that this is a bad idea and will vote against.

Commissioner Young noted issues with Municipal Court and said this will be a good decision in his opinion as it will bring structure and provide checks and balances.

Mayor Dorough agreed that the position is needed, which will include quarterly reports being made to the Commission, etc.

Commissioner Warbington stated that this will go to the voting meeting since Commissioner Langstaff is waiving the second reading. He asked if any other city in Georgia has this type of position.

Discussion continued with Mayor Dorough commenting on the process and Mr. Carter advising that this he can assist. Commissioner Warbington asked for an agenda item regarding the hiring process.

In reply to Mayor Dorough regarding the next item, Mr. Carter stated that this is a formality since it was not voted correctly at the last meeting.

Commissioner Warbington introduced

JULY 26, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

AN ORDINANCE NO. 22-105

Adopting the budget and appropriations for the period July 1, 2022, through June 30, 2023

Commissioner Warbington then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Howard.

Commissioner Warbington mentioned follow-up for a policy for spending HPC funds, the rate stabilization policy, discretionary funds for the Commissioners, which are all in the budget and to include a policy for appointed officials to receive the COLA.

Hearing no additional comments, and, following a roll call vote, the motion unanimously carried.

RESOLUTIONS

Phyllis Brown, Community Development Deputy Director, reminded the Commission that this was discussed, with staff being asked to add site selection language to the plan and the resolution. A brief discussion followed on the item being brought back for approval of the site, etc. Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Warbington and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 22-R155

Approving the Substantial Amendment of FY 2021-2022 Annual Action Plan to include the HOME-ARP Allocation Plan

Commissioner Warbington moved to table the following resolution, seconded by Commissioner Johnson, and following a roll call vote, the motion unanimously carried.

A RESOLUTION

Authorizing purchase of certain described real estate; Authorizing City Attorney to close same and City Manager to sign closing documents approving the terms and conditions re: Driskell Park – Real Estate Acquisitions

It is noted that Commissioner Langstaff had left the meeting.

Chief Persley discussed the following resolution regarding the approval of the 2022 Edward Byrne Memorial Justice Asst. Grant and the distribution of funds between the City and Dougherty County.

Commissioner Howard moved to adopt the resolution, seconded by Commissioner Warbington, and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. R-156

Authorizing approval of 2022 Edward Byrne Memorial Justice Assistance Grant (JAG); Approving and authorizing execution of Intergovernmental Memorandum of Understanding Agreement between the City of Albany and Dougherty County

Chief Persley advised that Asst. Chief Darryl Smith is retiring after 35 years and this is his last meeting, thanking Chief Smith for his years of service. Chief Smith thanked the citizens of Albany for allowing him to serve and thanked Chief Persley for his support.

The Mayor and Commissioners thanked Chief Smith for his services and wished him well in his future endeavors

MEMBER COMMENTS / ITEM FOR FUTURE AGENDA

Commissioner Howard asked the City Manager and Chief Finance Officer Director Derrick Brown to bring an item for the Commission to be included in the retirement plan.

JULY 26, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

Commissioner Warbington stated that projects discussed last week in the Special Called Meeting should be termed ‘decision ready’ rather than shovel ready and asked for numbers and documents to update the Commission. He specifically mentioned, Driskell Park, Carver, Turner Gym, Albany Herald building, Henderson etc., other projects that he discussed.

Mr. Carter agreed with information regarding Driskell Park, which is on track date-wise; Carver/Turner/Henderson/Bill Miller/ 8th Ave., are waiting on proposals with staff looking at the proposals and the Woods recommendation to bring back. He explained that the 8th Ave Basin is part of the sewer separation project, with adjacent areas being torn up, adding that information being brought back when dates are determined. Regarding the Albany Herald/Albany Theater, he advised that Ms. Gaskins is working on this and he will provide an email to update, noting that setting priorities should be discussed, with Turner /Albany Herald first; however, the dates and costs will be provided. Commissioner Warbington asked to get cost and asked him to reply via email.

Commissioner Warbington commented on LOST and SPLOST with there being a consensus to request to immediately go into mediation/arbitration with the County as soon as possible and suggested getting an outside person/third party for arbitration as the County appears to have no interest in negotiating the terms. Mayor Dorough suggested that LOST will automatically be referred for arbitration and rather than waiting 60 days, the County should be notified immediately. Commissioner Warbington suggested immediately going into both.

Mayor Dorough asked for a motion to direct the City Manager to advise the County Administrator and other representatives that regarding LOST, the City is not interested in maintaining the 60/40 split and as the County has indicated it is not willing to negotiate, the City is invoking the right to submit this to arbitration immediately. Commissioner Warbington so moved, seconded by Mayor Pro Tem Gaines. Commissioner Young suggested a more thorough explanation for the public to understand the long-term benefits.

Hearing no additional comments following a roll call vote, the motion unanimously carried.

Mayor Dorough asked for a motion to direct the City Manager to notify the County Administrator and other County representatives that the City is requesting that the County participates in arbitration regarding splitting the SPLOST proceeds, currently 64 (City) and 36 (County). Commissioner Warbington so moved, second by Commissioner Johnson and, following a roll call vote, the motion unanimously carried.

Regarding projects noted by Commissioner Warbington, Commissioner Young stated that this has to do with prioritizing and Henderson/ Bill Miller/ Turner gyms, both of which need repairs/renovations/facelift for years and should be prioritized to the top of the list. He asked for \$5.0 million to be allocated to each facility and suggested that the citizens in those areas are tired of waiting. He recognized Haven Brady, Westover Highschool, who was featured on ESPN, he is 7-0, ranked as a bantam weigh.

A brief discussion ensued regarding the Historic Preservation Commission/Phoebe Putney Hospital appeal hearing scheduled for next Tuesday. There being no further business, the meeting adjourned at 8:54 p.m.

MAYOR

ATTEST:

CITY CLERK